

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RUBEN E. SANCHEZ,

Plaintiff,

v.

RUSTY SMITH *et al.*,

Defendants.

Case No. C05-5426RBL

ORDER TO AMEND OR
PROVIDE SERVICE COPIES

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). The plaintiff has been granted leave to proceed *in forma pauperis*. The court has reviewed the complaint and will not order service at this time.

In the caption of the complaint plaintiff names one defendant, Rusty Smith, but he indicates there are several defendants by including the term *et al.* Plaintiff provided only one set of documents for service. However, in the body of the complaint plaintiff names twelve defendants. (Dkt. # 1 proposed complaint, page 3 ¶ 9).

If plaintiff intends to sue only Rusty Smith he should inform the court of his decision. If plaintiff intends to sue the twelve persons identified in the complaint on page 3 ¶ 9 he will need to provide twelve more copies of the complaint and filled out United States Marshals Service forms for each defendant.

The clerk of court is directed to send plaintiff twelve Marshal Service forms. If plaintiff decides he is suing the people named he must fill out the forms and provide a service copy of the complaint for each defendant. If plaintiff is not suing twelve people he must file an amended complaint and proper service

1 documents.

2 Plaintiff is given until **August 26th, 2005** to either amend or provide the service documents.
3 Failure to comply with this order will result in a Report and Recommendation that this action be dismissed
4 for failure to prosecute and failure to comply with a court order.

5 The Clerk is directed to send a copy of this Order to plaintiff and to note this matter on the court's
6 **August 26th, 2005** calendar.

7
8 DATED this 13th day of July 2005.

9 /s/ J. Kelley Arnold
10 J. Kelley Arnold
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28